

UNITED STATES DISTRICT COURT
for the
Western District of Washington

In the Matter of the Search of
*(Briefly describe the property to be searched
or identify the person by name and address)*

SUBJECT ACCOUNTS

Case No. MJ22-574

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (*identify the person or describe the property to be searched and give its location*):

SUBJECT ACCOUNTS as further described in Attachment A, which is attached hereto and incorporated herein by this reference.

located in the Western District of Washington, there is now concealed (*identify the person or describe the property to be seized*):

See Attachment B, which is attached hereto and incorporated herein by this reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (*check one or more*):

- evidence of a crime;
- contraband, fruits of crime, or other items illegally possessed;
- property designed for use, intended for use, or used in committing a crime;
- a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

<i>Code Section</i>	<i>Offense Description</i>
Title 18, U.S.C. § 2251	Production of Child Pornography
Title 18, U.S.C. § 2252(a)	Possession of Child Pornography

The application is based on these facts:

- See Affidavit of Special Agent Garon, continued on the attached sheet.

Delayed notice of _____ days (give exact ending date if more than 30 days: _____) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: by reliable electronic means; or: telephonically recorded.



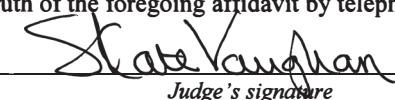
Applicant's signature

Amy Garon, Special Agent

Printed name and title

- The foregoing affidavit was sworn to before me and signed in my presence, or
- The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date: 11/30/2022



Judge's signature

City and state: Seattle, Washington

S. Kate Vaughan, United States Magistrate Judge

Printed name and title

AFFIDAVIT

STATE OF WASHINGTON)
COUNTY OF KING)
ss)

I, Amy Garon, being first duly sworn, depose and state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I am a Special Agent (SA) with Homeland Security Investigations (HSI) and have been since 2007. I am currently assigned to the HSI Office in Honolulu, Hawaii, and investigate all laws related to Customs and Immigration. I was also a Reserve Special Agent with the Coast Guard Investigative Service (CGIS) from November 2003 to January 2015. As a CGIS Reserve Special Agent, I was assigned to the CGIS Resident Agent Office Honolulu and investigated violations of federal criminal law and the Uniform Code of Military Justice. I have participated in numerous criminal investigations, to include matters involving the sexual exploitation of children and the internet; narcotics trafficking; human smuggling; human trafficking; fraud; and other violations of federal criminal law. During my employment with CGIS and HSI, I received training regarding child pornography, the sexual abuse of children, the behavior of preferential child molesters and how to conduct investigations of child sexual exploitation and obscenity crimes. I have assisted other agents working Child Exploitation/Cyber Crimes, which involved the investigation of violations of Title 18, United States Code, Sections 2251 et seq., namely, cases involving the importation, distribution, and possession of child pornography, and the sexual exploitation of children. I have worked with agents involved in numerous investigations involving the sexual exploitation of children or the distribution, receipt, and possession of child pornography. I have participated in searches of premises and assisted in gathering evidence pursuant to search warrants, including search warrants in multiple child pornography investigations. I have participated in interviews of persons identified as possessing and distributing child pornography. In my career, I have used various investigative tools and techniques including search warrants for electronic information in the possession of service providers I am a member of the Hawaii Internet Crimes Against Children

1 (ICAC) Task Force, and work with other federal, state, and local law enforcement personnel in the
 2 investigation and prosecution of crimes involving the sexual exploitation of children.

3 2. I make this affidavit in support of an application for a search warrant for information
 4 associated with certain Skype accounts (Skype is operated by Skype Technologies, a Division of the
 5 Microsoft Corporation), stored at premises controlled by Microsoft Corporation, a message provider
 6 headquartered at 1 Microsoft Way, Redmond, Washington 98052. The information to be searched is
 7 described in the following paragraphs and in Attachment A. This affidavit is made in support of an
 8 application for a search warrant under 18 U.S.C. §§ 2703(a), 2703(b)(1)(A) and 2703(c)(1)(A) to
 9 require Skype to disclose to the government copies of the information (including the content of
 10 communications) further described in Section I of Attachment B. Upon receipt of the information
 11 described in Section I of Attachment B, government-authorized persons will review that information
 12 to locate the items described in Section II of Attachment B.

13 3. The facts set forth in this Affidavit are based on my own personal knowledge;
 14 knowledge obtained from other individuals during my participation in this investigation, including
 15 other law enforcement officers; review of documents and records related to this investigation;
 16 communications with others who have personal knowledge of the events and circumstances
 17 described herein; and information gained through my training and experience. Because this
 18 Affidavit is submitted for the limited purpose of establishing probable cause in support of the
 19 application for a search warrant, it does not set forth each and every fact that I or others have learned
 20 during the course of this investigation.

21 4. As is detailed below, CHRISTOPHER OLSTEN passed away and this search warrant
 22 is being submitted to attempt to identify or locate unknown co-conspirators of CHRISTOPHER
 23 OLSTEN. Based on my training and experience and the facts as set forth in this affidavit, there is
 24 probable cause to believe that violations of 18 U.S.C. §§ 2251(c) (sexual exploitation of a child
 25 outside the United States); 2251(e) (attempt and conspiracy to violate § 2251(c)); 2252A(a)(3)(B)
 26 (promotion of child pornography); 2252A(b)(1) (conspiracy to promote child pornography); 2260(a)
 27 (production of sexually explicit depictions of a minor for importation into the United States); and
 28 2260(c)(1) (attempt and conspiracy to violate § 2260(a)), (hereinafter the “TARGET OFFENSES”)
 have been committed by unknown co-conspirators of CHRISTOPHER OLSTEN. There is also

probable cause to search the information described in Attachment A for evidence, instrumentalities, contraband or fruits of these crimes further described in Attachment B.

BACKGROUND

5. Since 2012, a HSI undercover agent (UCA) has been investigating individuals in the Philippines who sell live streaming webcam shows involving the sexual abuse and exploitation of children to paying customers worldwide. These investigations are conducted mainly through undercover communications used to infiltrate closed communities of offenders. This growing child abuse industry involves child traffickers in the Philippines who collect viewership fees from vetted customers worldwide. Paying customers are allowed to direct the abuser/child trafficker to perform acts of sexual abuse on minor children in real time during a private webcam interaction. Undercover operations associated with this case originated in Portland, Maine and included the collaboration of HSI Attaché Manila and law enforcement entities in the Philippines.

THE INVESTIGATION

6. On April 22, 2020, the UCA's Facebook (FB) profile received a friend request from profile "Nnasirhc ESPIRITU" ("ESPIRITU"). ESPIRITU's FB profile indicated the individual resided in the Philippines.

7. On April 23, 2020, during a private FB conversation with ESPIRITU, the UCA received historical images of two female children. The first image depicted a young girl (hereinafter V1) in a nightie. Two subsequent images depicted V1 standing naked. A fourth image depicted a clothed and slightly older female child (V2). According to ESPIRITU, V1 was her 5-year-old daughter and V2 was her 7-year-old niece. ESPIRITU solicited the UCA to wire funds to her in exchange for sexually explicit live-streaming shows of V1 and V2. The UCA agreed to send one initial payment for \$50.00 to establish credibility. The second payment would be forwarded on a later date when V1 and V2 were both present.¹

¹ The technique of sending child traffickers a partial or advance payment has been used several times with success in this investigation. When used in this specific and controlled capacity, the Purchase of Evidence (POE) establishes credibility and allows investigators to identify offending parties, trafficked victim(s), payment pickup locations and associated financial funnel accounts without putting victims in an exploitative scenario. At no time is it requested for the children to be put in a harmful situation.

1 8. ESPIRITU asked the UCA to send the payment to her aunt Lucille R. BAYANI
2 ("BAYANI") who would collect the payment on ESPIRITU's behalf. The UCA subsequently used
3 the online Money Service Business (MSB) Xoom to send the funds to BAYANI in the Philippines.

4 9. A portion of this FB private conversation is transcribed below:²

5 ESPIRITU: Hi

6 ESPIRITU: Dina.cruz88

7 HSI UCA: Hi bb

8 HSI UCA: This is private here and safe

9 HSI UCA: Here bb

10 ESPIRITU: Hello

11 ESPIRITU: U there hon

12 ESPIRITU: U there honey

13 HSI UCA: I'm here bb

14 ESPIRITU: Hello

15 ESPIRITU: Hru now

16 ESPIRITU: Can u help me

17 HSI UCA: Good bb

18 HSI UCA: What I get

19 HSI UCA: What ages u have

20 ESPIRITU: Im show to u

21 HSI UCA: U have young

22 ESPIRITU: Yes but so young 5

23 ESPIRITU: Hon

24 HSI UCA: She do show before?

25 HSI UCA: If not is ok

26 ESPIRITU: Nope

27 HSI UCA: Ok then I don't want

27 2 All grammatical errors in this chat and all others I reference in this affidavit were in the original chats. Emoticons,
28 symbols often used in instant messaging to convey emotion, have been removed. The HSI undercover Facebook
username has been replaced with "HSI UCA."

1 ESPIRITU: But me im show to u
2 ESPIRITU: U not help
3 HSI UCA: U have other young that do?
4 ESPIRITU: Yes
5 HSI UCA: Mmm
6 ESPIRITU: But how much u pay
7 HSI UCA: 50 each
8 HSI UCA: What ages they?
9 ESPIRITU: *Image of V1 in a nightie was sent*
10 ESPIRITU: Look
11 ESPIRITU: Do you like
12 HSI UCA: Yes
13 ESPIRITU: But wht deal sent 1st before show
14 HSI UCA: I don't understand
15 ESPIRITU: U sent ist before show
16 ESPIRITU: Need food young and me
17 ESPIRITU: Do you know marry
18 ESPIRITU: Hello
19 HSI UCA: I send befire show yes
20 HSI UCA: So u trust me
21 ESPIRITU: U sent then show

22 10. On April 27, 2020, the UCA communicated with ESPIRITU via Skype typed chat
23 and live streaming video. ESPIRITU used the following Skype account to communicate with the
24 UCA from a mobile phone:

25 Skype ID: **dina.cruz88**

26 Skype Display Name: Dina Cruz

27 11. During the conversation, ESPIRITU turned on her webcam so the UCA could see the
28 children being offered for a sexually explicit show. The UCA observed ESPIRITU, V1 and a young
male child (V3). ESPIRITU stated V3 was her 5-year-old son. V1 and V3 were fully clothed as
requested by the UCA prior to the video call. Specifically, the UCA requested to see the child wave

1 to the camera.³ ESPIRITU said V2 was not present due to sickness but available for a show upon
2 recovery.

3 12. A portion of this Skype chat is transcribed below.

4 Dina Cruz: Sorry coz i have sore eyes
5 Dina Cruz: Delaye show
6 HSI UCA: its ok
7 HSI UCA: i just want to see wave tonight
8 HSI UCA: but what they do in show for me when i get it
9 Dina Cruz: Ok
10 HSI UCA: how old is she bb
11 Dina Cruz: 5 yrs
12 HSI UCA: mmm
13 HSI UCA: how old the other girl u have
14 Dina Cruz: She still milk need milk hehehe
15 Dina Cruz: 7
16 HSI UCA: nice
17 HSI UCA: when we do show what i get?
18 HSI UCA: what they do in show mmm
19 HSI UCA: for my money
20 Dina Cruz: How much
21 Dina Cruz: U like show here
22 HSI UCA: not now
23 HSI UCA: later
24 HSI UCA: when they both there
25 HSI UCA: does the boy do show too with them??
26 Dina Cruz: Ok but u help noe
27 Dina Cruz: Say young give mild
28 HSI UCA: how old is he>

27
28 ³ This is an investigative technique used to provide Philippine investigators the visual evidence necessary to meet the probable cause standard under Philippine law.

1	Dina Cruz:	Who
2	Dina Cruz:	Boy
3	HSI UCA:	yes
4	Dina Cruz:	Same
5	HSI UCA:	both 5 wow
6	HSI UCA:	bb i send u nw
7	Dina Cruz:	Yes
8	Dina Cruz:	Only 50
9	HSI UCA:	but tell me what they do in the show for me
10	Dina Cruz:	See pussy and doggystyed
11	HSI UCA:	mmm nice
12	Dina Cruz:	the five and 7??
13	Dina Cruz:	Can u sent 75 for buy milk
14	Dina Cruz:	Yes
15	Dina Cruz:	If ok to u
16	HSI UCA:	ill try
17	Dina Cruz:	Ok tnx
18	HSI UCA:	do u still have the pic u sent last week?
19	HSI UCA:	I don't want u to take another one
20	HSI UCA:	but if u still have u can send it
21	Dina Cruz:	7
22	HSI UCA:	but don't take a new one for me. ill just wait for the live show
23		if dont have

22 13. The UCA subsequently used Xoom, an online Money Service Business, to send funds
 23 to BAYANI in the Philippines. BAYANI was accepting payments on ESPIRITU's behalf.

24 14. On May 6, 2020, a preservation letter was submitted to Microsoft, Inc. under 18
 25 U.S.C. § 2703(f), requesting that Microsoft preserve all stored communications, records and other
 26 evidence relating to the Skype IDs: **dina.cruz88** (display name: Dina Cruz). On August 3, 2020, a
 27 request for a 90-day extension of the preservation period was sent to Microsoft. On November 9,
 28

1 2020, the UCA confirmed that the Skype account associated with Skype ID **dina.cruz88** was still an
2 active account.

3 15. On November 12, 2020, HSI Portland, Maine obtained a federal search warrant for
4 the Skype account associated with Skype ID **dina.cruz88** under Case number 2:20-MJ-314-JHR.

5 16. A review of the Skype account associated with Skype ID **dina.cruz88** located
6 communication between it and another Skype account with Skype ID **chrisolsten** that was indicative
7 of child sex trafficking via live streaming. This chat spanned May 4, 2017 to April 2, 2020.

8 17. Details from photos shared within the Skype chat of money remittances identified the
9 user of Skype ID **chrisolsten** as:

10 a. Xoom transaction XTKMYV6P on 3/5/2020 to Anna Espiritu

11 Name: Christopher Olsten

12 Billing Address: 234 Waipahe Street, Kihei, Hawaii 96753

13 b. Western Union transfer number 632-738-5025 on 3/6/2020

14 Sender: Chris OLSTEN

15 Address: 234 Waipahe Pl, Kihei, Hawaii 96753

16 Phone: 808-8663876

17 18. A query of the State of Hawaii Driver's Licensing database located a driver's license
18 for the name Christopher OLSTEN:

19 Number: H00327327

20 Name: Christopher David OLSTEN

21 Date of Birth: February 18, 1977

22 Address: 234 Waipahe Pl, Kihei, HI 96753

23 19. Subpoenaed registration information from Skype provided the following information
24 for Skype ID **chrisolsten**:

25 Creation IP: 193.120.212.0 (IEUNET, Cork, Ireland)

26 Creation Date: 06/05/2010

27 Email address: chrisgsxr750@yahoo.com

28 20. On August 24, 2022, HSI Honolulu, Hawaii, received an investigative referral from
HSI Portland, Maine for OLSTEN and was provided with a copy of the Skype chat and 109 image

1 files that had been shared in the chat and obtained via the search warrant of Skype ID **dina.cruz88**'s
2 account.

3 21. On August 24, 2022, a preservation letter was submitted to Microsoft, Inc. under 18
4 U.S.C. § 2703(f), requesting that Microsoft preserve all stored communications, records and other
evidence relating to the Skype ID: **chrisolsten**

5 22. Subpoenaed subscriber information from Yahoo provided the following information
6 for email chrisgsxr750@yahoo.com:

7 Registration IP Address: 66.8.169.144 (Spectrum ISP in Makawao, Maui, HI)

8 Registration Date: 2001-11-24T08:56:18.000Z

9 Full Name: Chris OLSTEN

10 City, State: Wailuku, HI 96793

11 Recovery email: chrisolsten@gmail.com

12 Recovery Phones: +18088668644 Verified, +18088663876 Verified

13 23. Subpoenaed subscriber information from Verizon provided the following information
14 for phone number +18088663876:

15 Account Number: 973184199-1

16 Name: Christopher OLSTEN

17 Address: 234 Waipahe Pl, Kihei, HI 96753

18 Dates of service: 03/29/2016 – 10/28/2017

19 24. Subpoenaed subscriber information from Verizon provided the following information
20 for phone number +18088668644:

21 Account Number: 442122474-1

22 Name: Brandon Matich, Hula Adventures

23 Contact Name: Chris OLSTEN

24 Address: 2670 Wai Wai Pl, Kihei, HI 96753

25 Dates of service: 08/01/2017 – 02/27/2022

26

27

28

1 25. A review of the Skype chat between **dina.cruz88** and **chrisolsten** located instances
 2 when live streaming webcam sex shows were conducted with persons believed to be under the age of
 3 18 years old and the distribution of child sexual abuse material (CSAM) images.⁴

4 26. On June 4, 2019, **dina.cruz88** asked **chrisolsten** to send her pictures of V4 (HSI
 5 Honolulu does not know if this was one of the young girls previously offered to the HSI UCA by
 6 **dina.cruz88**). In return, **chrisolsten** sent **dina.cruz88** approximately 50 images of a near pubescent
 7 Filipino girl in various stages of undress as well as completely naked in which her breasts, vagina,
 8 and bottom areas are shown. This batch of images also included images of vaginal digital
 9 penetration and close-up images of breasts and vaginas. Based on previous and subsequent Skype
 10 conversations not included herein, but that I have reviewed, and my training and experience, I
 11 believe that **dina.cruz88** asked **chrisolsten** to send her back pictures of V4 that **dina.cruz88** had
 12 previously sent to **chrisolsten**.

13 27. On July 3, 2019, it appeared **dina.cruz88** hosted a Skype live streaming webcam
 14 show for **chrisolsten** between her and V4. A portion of the typed Skype chat is transcribed below.

15 **dina.cruz88:** Ready now babe
 16 **chrisolsten:** ok
 17 **dina.cruz88:** For watch show
 18 **chrisolsten:** i hope you try lick [V4]
 19 **dina.cruz88:** Call started⁵

20 Based on the context of the surrounding typed chat conversation, this indicates the beginning
 21 of the live webcam call.

22 **chrisolsten:** cam is good today
 23 ... connection issues ...
 24 **dina.cruz88:** U see naked me and [V4]

25
 26
 27 ⁴ HSI did not have access to the live webcam feeds, but this conclusion was made based on the investigation, including a
 28 review of the content of the typed chats aligned with the webcam feeds and other information, all of which strongly
 suggested that a minor was involved.

⁵ The term "Call" is the terminology used by Skype to indicate that a Skype call was initiated during the chat.

1 **chrisolsten:** yes why you always stop cam?
2 ... connection issues ...
3 **chrisolsten:** don't fake touch
4 **dina.cruz88:** OK
5 **chrisolsten:** I want touch
6 **chrisolsten:** [V4] have little hair now right?
7 ...
8 **chrisolsten:** can you lick pussy?
9 **dina.cruz88:** She shy she dont like
10 **dina.cruz88:** She show
11 **chrisolsten:** ok
12 **chrisolsten:** its ok finger inside?
13 **chrisolsten:** hmmmmm
14 **dina.cruz88:** Babe im continued show later my load lost

17 [dina.cruz88 is referring to her phone service credits.]

18 **chrisolsten:** cam keep cut
19 **dina.cruz88:** I'm sad my load only 1
20 **chrisolsten:** I cant cum
21 **dina.cruz88:** Im buy if u help and continued show
22 **dina.cruz88:** Mmmmm
23 **chrisolsten:** what show?
24 **dina.cruz88:** U not cum
25 **chrisolsten:** no

27 28. On July 3, 2019, **chrisolsten** sent information to **dina.cruz88** regarding a transaction
28 of 1,700 Philippines Pesos (PHP) sent to Marvin ESPIRITU in Taguig City, Philippines via World

1 Remit Corp. Subpoenaed World Remit Corp transactional data provided the following additional
2 information for this transaction:

3 Sender Name: Chris OLSTEN

4 Sender Birthdate: 02/18/1977

5 Sender Mobile Number: 808-866-8645

6 Sender Email: chrisolsten@gmail.com

7 Sender Address: 234 Waipahe Pl 234 Kihei HI 96753

8 29. On August 6, 2019, it appeared **dina.cruz88** hosted another Skype live streaming
9 webcam show for **chrisolsten** between her and V4. A portion of the typed Skype chat is transcribed
below.

10 **chrisolsten:** What you give me for 2500?

11 **dina.cruz88:** Show V4 me too I'm not show with guy coz coming midnigth

12 [... several calls were started with **chrisolsten** complaining about the lighting...]

13 **chrisolsten:** dark cam again

14 **chrisolsten:** put finger inside

15 **chrisolsten:** not good show today

16 **chrisolsten:** camera not good and show not sexy

17 ...

18 **chrisolsten:** no you put cam in bad spot

19 ...

20 **chrisolsten:** and [V4] not do anything

21 ...

22 **chrisolsten:** deal was you and [V4]

23 30. On August 6, 2019, **chrisolsten** sent information to **dina.cruz88** regarding a
transaction of 2,500 PHP sent to Marvin ESPIRITU in Taguig City, Philippines via World Remit
24 Corp. Subpoenaed World Remit Corp transactional data duplicated the sender information from the
July 3, 2019, transaction.

25 31. On October 22, 2019, it appeared **dina.cruz88** hosted another Skype live streaming
webcam show for **chrisolsten** between her and V4. At the end of the show, **chrisolsten** asked for

1 some pictures. In response **dina.cruz88** sent four photos of a possibly pubescent female's naked
 2 body with the focus on her vaginal area (the female's face was not visible).

3 32. On October 22, 2019, **chrisolsten** sent information to **dina.cruz88** regarding a
 4 transaction of 2,500 PHP sent to Marvin ESPIRITU in Taguig City, Philippines via World Remit
 5 Corp. Subpoenaed World Remit Corp transactional data duplicated the sender information from the
 6 previous transactions.

7 33. On December 17, 2019, **dina.cruz88** asked **chrisolsten** to send her pictures of V4 to
 8 send to a foreigner who will pay for them. **chrisolsten** did not send any pictures. **dina.cruz88** sent
 9 **chrisolsten** three photos of a naked prepubescent female's body including one where the female is
 10 spreading apart her labia with her hands to expose her vagina. **dina.cruz88** identified the female as
 her 11-year-old cousin.

11 34. In January 2020, **dina.cruz88** began using BAYANI as the recipient of payments
 12 from **chrisolsten**.

13 35. Further review of the communication between **dina.cruz88** and **chrisolsten** revealed
 14 additional live streaming webcam sex shows believed to contain adult performers or unfulfilled
 15 promises of live streaming webcam sex shows with V4 and others for which **chrisolsten** sent funds
 16 or purchased phone service for **dina.cruz88**.

17 36. A review of subpoenaed money remittance information, found that in addition to a
 18 total of \$3,030.30 sent to ESPIRITU aka **dina.cruz88**, Marvin ESPIRITU and BAYANI, OLSTEN
 19 sent remittances to an additional 52 recipients in the Philippines and one in Madagascar, totaling
 \$39,776.53 between January 3, 2017, and December 23, 2020.

20 37. Maui Police Department reporting indicated that OLSTEN died on December 27,
 21 2021, and his death was ruled a suicide.

22 38. Despite OLSTEN's death in December 2021, I am seeking this warrant to identify
 23 other vendors that OLSTEN sent money to, possibly through co-conspirators who collected
 24 payments on the vendor's behalf, who may offer live streaming webcam shows involving the sexual
 25 abuse and exploitation of children. The requested information is sought in order to identify and
 26 locate victims of child sexual abuse in the Philippines as well as identify and locate unknown co-
 27 conspirators of OLSTEN.

1
2
BACKGROUND CONCERNING SKYPE
3

4 39. In my training and experience, as well as from my review of publicly available
 5 information, I know that Skype is a software product that allows users to conduct video chats and
 6 voice calls over the Internet. Skype users can also send instant messages, exchange files and images,
 7 send video messages, and create conference calls. Skype software is available for use on personal
 8 computers as well as smartphones and tablets. Skype was first released in 2003. It was acquired by
 Microsoft in 2011 and is now a division of Microsoft Corporation.

9 40. Microsoft's privacy statement, which was last updated in September 2022 and is
 10 available at <https://privacy.microsoft.com/en-us/privacystatement>, states that Microsoft "collects
 11 data from you, through our interactions with you and through our products. You provide some of this
 12 data directly, and we get some of it by collecting data about your interactions, use, and experiences
 13 with our products. The data we collect depends on the context of your interactions with Microsoft
 14 and the choices you make, including your privacy settings and the products and features you use. We
 15 also obtain data about you from third parties."

16 41. According to support information provided by Microsoft and available at
 17 <https://support.skype.com/en/faq/FA34893/how-long-are-files-and-data-available-in-skype>, "Skype
 18 stores files and photos you've shared, calls you've recorded, and other items for easy access across
 19 all your devices." Messages, videos and pictures are available until they are deleted or dated back to
 20 April 2017⁶, and chat titles are available until deleted or users leave conversations. Thus, depending
 21 on when a chat occurred and whether a user elected to delete it, it is possible that the content of chats
 22 will be found on servers controlled by Microsoft.

23 42. Skype allows subscribers to create user accounts and create a unique member name.
 24 The user can change this user name at any time. The Skype ID associated with the Skype account, by
 contrast, cannot be changed by the user. For example, Skype Name "Mr. Chico" could change the
 25
 26

27 6 From other open-source internet research, it appears that the reference to April 2017 was because the Skype support
 28 information was posted to Microsoft's web site in April 2019. It appears Skype will save chat history for a period of two
 years.

1 name to another series of letters, numbers or symbols, but the Skype ID live:.cid.9b91b44105c2fb17
2 would remain the same.

3 43. A Skype subscriber can also store contact lists on servers maintained and/or owned
4 by Microsoft. In my training and experience, evidence of who was using an online account, such as
5 Skype, may be found in address books or contact lists.

6 44. Based on information provided by Skype to law enforcement, the following types of
7 information will be provided upon receipt of appropriate legal process:

8 Registration Details: information captured at time of account registration;

9 Billing Address: User-provided billing addresses; Payment Method/Instrument Data;

10 Purchase History: transactional records;

11 IP Logs: IP addresses captured at the time of the user login to the Skype service;

12 Skype Number Service History: list of Skype Number(s) subscribed to by a user;

13 Skype Out Records: Historical call detail records for calls placed to the public
switched telephone network (PSTN);

14 Skype Number Records: Historical call detail records for calls received from the
public switched telephone network (PSTN);

15 SMS Records: SMS historical detail records;

16 E-mail records: historical record of e-mail change activity;

17 Skype username's Contact/Buddy List; and

18 Skype username's Chat/Media content.

19 45. Chat content on Skype's servers and the contact list will enable investigators to
20 identify other vendors or co-conspirators (who, as noted above, directly participate in the abuse of
21 children by proffering the activity).

22 **INFORMATION TO BE SEARCHED AND THINGS TO BE SEIZED**

23 46. Pursuant to Title 18, United States Code, Section 2703(g), this application and
24 affidavit for a search warrant seeks authorization to permit Microsoft, and its agents and
25 employees, to assist agents in the execution of this warrant. Once issued, the search warrant
26 will be presented to Microsoft with direction that it identifies the Skype account(s) described
27 in Attachment A to this affidavit, as well as other associated subscriber and log records as set
28 forth in Section I of Attachment B to this affidavit.

1 47. The search warrant will direct Microsoft to create an exact copy of the
2 specified account and records.

3 48. I, and/or other law enforcement personnel will thereafter review the copy of
4 the electronically stored data, and identify from among that content those items that come
5 within the items identified in Section II to Attachment B, for seizure.

6 49. Analyzing the data contained in the forensic image may require special
7 technical skills, equipment, and software. It could also be very time-consuming. Searching
8 by keywords, for example, can yield thousands of “hits,” each of which must then be
9 reviewed in context by the examiner to determine whether the data is within the scope of the
10 warrant. Merely finding a relevant “hit” does not end the review process. Keywords used
11 originally need to be modified continuously, based on interim results. Certain file formats,
12 moreover, do not lend themselves to keyword searches, as keywords, search text, and many
13 common e-mail, database and spreadsheet applications do not store data as searchable text.
14 The data may be saved, instead, in proprietary non-text format. And, as the volume of
15 storage allotted by service providers increases, the time it takes to properly analyze
16 recovered data increases, as well. Consistent with the foregoing, searching the recovered
17 data for the information subject to seizure pursuant to this warrant may require a range of
18 data analysis techniques and may take weeks or even months. All forensic analysis of the
19 data will employ only those search protocols and methodologies reasonably designed to
20 identify and seize the items identified in Section II of Attachment B to the warrant.

21 50. Based on my experience and training, and the experience and training of other
22 agents with whom I have communicated, it is necessary to review and seize a variety of e-
23 mail communications, chat logs and documents, that identify any users of the subject account
24 and communications occurring in temporal proximity to incriminating messages or chats that
25 provide context to the incriminating communications.

CONCLUSION

2 51. Based on the forgoing, I request that the Court issue the proposed search
3 warrant. This Court has jurisdiction to issue the requested warrant because it is “a court of
4 competent jurisdiction” as defined by 18 U.S.C. § 2711. 18 U.S.C. §§ 2703(a), (b)(1)(A) &
5 (c)(1)(A). Specifically, the Court is “in or for a district in which the provider of a wire or
6 electronic communication service is located or in which the wire or electronic communications,
7 records, or other information are stored.” 18 U.S.C. § 2711(3)(A)(ii). Pursuant to 18 U.S.C. §
8 2703(g), the government will execute this warrant by serving the warrant on Microsoft.
9 Because the warrant will be served on Microsoft who will then compile the requested records
10 and data, reasonable cause exists to permit the execution of the requested warrant at any time
11 in the day or night. Accordingly, by this Affidavit and Warrant, I seek authority for the
12 government to search all of the items specified in Section I, Attachment B (attached hereto
13 and incorporated by reference herein) to the Warrant, and specifically to seize all of the data,
14 documents and records that are identified in Section II to that same Attachment.

Amy Garon, Special Agent
Department of Homeland Security
Homeland Security Investigations

The above-named agent provided a sworn statement to the truth of the foregoing affidavit by telephone on this 30th day of November 2022

Shane Vaughan
United States Magistrate Judge